UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,402	04/06/2005	Elena Lialiamou	60282.00244	4428

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EXAMINER
CEHIC, KENAN

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/528,402	LIALIAMOU ET AL.
	Examiner	Art Unit	
	KENAN CEHIC	2416	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>21 January 2009</u>.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-21 and 23</u> is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-21 and 23</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a) ☐ All b) ☐ Some * c) ☐ None of:

  1. ☐ Certified copies of the priority documents have been received.

  2. ☐ Certified copies of the priority documents have been received in Application No. _____.

  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

1.   Claim 23 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the

written description requirement. The claim(s) contains subject matter which was not described

in the specification in such a way as to reasonably convey to one skilled in the relevant art that

the inventor(s), at the time the application was filed, had possession of the claimed invention.

A computer program embodied on a computer-readable medium, which is configured to

control a processor to perform the operation as described in claims 23 is not described in

the original disclosure.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claim 1, 11, 21, 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Roberts

(US 2003/0152039).

For claim 1 and similarly claim 23, Roberts discloses A method, comprising: enforcing a

charging policy (see section 0012-14 "determining said rules and each packet address, a

respective billing tariff and account for that packet" and section 0020-0021) at a network

element (see section 0020-21 "charging information is achieved via the analysis of

packets, preferably at the GGSN" and section 0028, 0058 "charging is related to content

or application, rules within the GGSN will be triggered…charging rates being applied.."

and section 0062-68 "GGSN filter…and is at a MusicSite rate" and section 0095, section

0101 "GGSN matches site IP address/URL etc and places costs in the relevant traffic

CDS"; section 0104) to be applied to reaching the network element (see section 014

"packet analyzer for determining from said rules and each packet address, a respective

billing tariff" and section 0021 "analysis of packet, preferably at the GGSN" and section

0028, section 0036) during a packet data protocol context (see section 0004 "billing

system to differentiate between different services on the same PDP context"; sections

0062-79 "PDP context"; section 0087 "context is set-up"), the packet data protocol

context (see section 0004 "billing system to differentiate between different services on

the same PDP context"; sections 0062-79 "PDP context"; section 0087 "context is set-

up") comprising a plurality of data flows (see section 0004 "billing system to

differentiate between different services on the same PDP context"; sections 0062-79

"PDP context"), with each data flow being distinguishable by a set of flow parameters

(see section 0012-014 "each packet having an address…determining from….each packet

address…packet analyzer for determining from said rules and each packet address, a

respective billing tariff" and section 0021 "analysis of packets, preferably at the GGSN"

and section 0027-28, section 0036 "IP address or URL…provisioning the relevant URLs

as required…"; sections 0062-0079 "URL…PDP context…IP address…charging ID…";

section 0093-96 "initiates the FTP…free access URL…track is downloaded…reduced

reate…IP multiplexes…chargeable packets"; section 0099-101 "IP sniffing…HTTP

session…the GGSN matches site IP address/ URL etc and places cost in the relevant

tariff CDR..real-time usage based charges…"; section 0104-109 "packets being charge

based on storefront…URL…server virtual domain/ IP address is part of GGSN zero-rate

filter…downloaded packets…after one-time URL allocated…charging…; section 0114

"VoIP/Video Streaming…"), wherein said charging policy defines charging rules per

flow of the plurality of flows (see section 0012-14 "determining said rules and each

packet address, a respective billing tariff and account for that packet" section 0020-21

"charging information is achieved via the analysis of packets, preferably at the GGSN"

and section 0028, 0058 "charging is related to content or application, rules within the

GGSN will be triggered…charging rates being applied.." and section 0062-68 "GGSN

filter…and is at a MusicSite rate" and section 0095, section 0101 "GGSN matches site IP

address/URL etc and places costs in the relevant traffic CDS"; section 0104);

observing the data packets reaching said network element (see section 0012-014 "each

packet having an address…determining from….each packet address…packet analyzer for

determining from said rules and each packet address, a respective billing tariff" and

section 0021 "analysis of packets, preferably at the GGSN" and section 0027-28, section

0036 "IP address or URL…provisioning the relevant URLs as required…"; sections

0062-0079 "URL…PDP context…IP address…charging ID…"; section 0093-96

"initiates the FTP...free access URL...track is downloaded...reduced reate...IP

multiplexes...chargeable packets"; section 0099-101 "IP sniffing...HTTP session...the

GGSN matches site IP address/ URL etc and places cost in the relevant tariff CDR..real-

time usage based charges..."; section 0104-109 "packets being charge based on

storefront...URL...server virtual domain/ IP address is part of GGSN zero-rate

filter...downloaded packets...after one-time URL allocated...charging...; section 0114

"VoIP/Video Streaming..."), the data packets each including at least one flow parameter,

and detecting at least one data flow from flow parameters included in the observed data

packets (see section 0012-014 "each packet having an address...determining from....each

packet address...packet analyzer for determining from said rules and each packet address,

a respective billing tariff" and section 0021 "analysis of packets, preferably at the

GGSN" and section 0027-28, section 0036 "IP address or URL...provisioning the

relevant URLs as required..."; sections 0062-0079 "URL...PDP context...IP

address...charging ID..."; section 0093-96 "initiates the FTP...free access URL...track

is downloaded...reduced reate...IP multiplexes...chargeable packets"; section 0099-101

"IP sniffing...HTTP session...the GGSN matches site IP address/ URL etc and places

cost in the relevant tariff CDR..real-time usage based charges..."; section 0104-109

"packets being charge based on storefront...URL...server virtual domain/ IP address is

part of GGSN zero-rate filter...downloaded packets...after one-time URL

allocated...charging...; section 0114 "VoIP/Video Streaming...");

mapping each of the data packets to detected data flows in accordance with the at least

one flow parameter included in the respective data packet (see section 0012-014 "each

packet having an address...determining from....each packet address...packet analyzer for

determining from said rules and each packet address, a respective billing tariff" and

section 0021 "analysis of packets, preferably at the GGSN" and section 0027-28, section

0036 "IP address or URL...provisioning the relevant URLs as required..."; sections

0062-0079 "URL...PDP context...IP address...charging ID..."; section 0093-96

"initiates the FTP...free access URL...track is downloaded...reduced reate...IP

multiplexes...chargeable packets"; section 0099-101 "IP sniffing...HTTP session...the

GGSN matches site IP address/ URL etc and places cost in the relevant tariff CDR..real-

time usage based charges..."; section 0104-109 "packets being charge based on

storefront...URL...server virtual domain/ IP address is part of GGSN zero-rate

filter...downloaded packets...after one-time URL allocated...charging..."; section 0114

"VoIP/Video Streaming...");

matching said detected data flows to an enforced charging policy (see section 0012-014

"each packet having an address...determining from....each packet address...packet

analyzer for determining from said rules and each packet address, a respective billing

tariff" and section 0020-21 "charging information is achieved via the analysis of packets,

preferably at the GGSN" and sections 0026-28, section 0036 "IP address or

URL...provisioning the relevant URLs as required..."; 0058 "charging is related to

content or application, rules within the GGSN will be triggered...charging rates being

applied.."; sections 0062-0079 "URL...PDP context...IP address...charging ID... GGSN

filter...and is at a MusicSite rate"; section 0093-96 "initiates the FTP...free access

URL...track is downloaded...reduced rate...IP multiplexes...chargeable packets";

section 0099-101 "IP sniffing…HTTP session…the GGSN matches site IP address/ URL

etc and places cost in the relevant tariff CDR..real-time usage based charges…"; section

0104-109 "packets being charge based on storefront…URL…server virtual domain/ IP

address is part of GGSN zero-rate filter…downloaded packets…after one-time URL

allocated…charging…; section 0114 "VoIP/Video Streaming…"); and

applying said enforced charging policy to said data flows to generate charging

information (see section 0012-014 "each packet having an address…determining

from….each packet address...packet analyzer for determining from said rules and each

packet address, a respective billing tariff" and section 0020-21 "charging information is

achieved via the analysis of packets, preferably at the GGSN" and sections 0026-28,

section 0036 "IP address or URL…provisioning the relevant URLs as required…"; 0058

"charging is related to content or application, rules within the GGSN will be

triggered…charging rates being applied.."; sections 0062-0079 "URL…PDP context…IP

address…charging ID… GGSN filter…and is at a MusicSite rate"; section 0093-96

"initiates the FTP…free access URL…track is downloaded…reduced rate…IP

multiplexes…chargeable packets"; section 0099-101 "IP sniffing…HTTP session…the

GGSN matches site IP address/ URL etc and places cost in the relevant tariff CDR..real-

time usage based charges..."; section 0104-109 "packets being charge based on

storefront…URL…server virtual domain/ IP address is part of GGSN zero-rate

filter…downloaded packets…after one-time URL allocated…charging…; section 0114

"VoIP/Video Streaming…"; section 0015" purchased goods or services are debited to a

customer pre-paid or postpaid account….credit applied to an account held by the provider

of those goods or services", section 0017 "credit transfer", section 0021, 0024, 0026

"account..accounting system", section 0030, 0060

"transaction…account..bill…accounting….records..").

For claim 23, Roberts discloses a computer program embodied on a computer-readable

medium, the computer program (see section 0019 "methos may be performed…control of

software in machine readable form on a storage medium") configured to control a

processor (see figure) to perform operations (see section 0019 "methos may be

performed…control of software in machine readable form on a storage medium")

For claim 11, an enforcing unit (see figure; reference char 10) configured to enforce a

charging policy at a network element to be applied to data packets reaching the network

element (see section 0012-014 "each packet having an address…determining

from….each packet address...packet analyzer for determining from said rules and each

packet address, a respective billing tariff" and section 0020-21 "charging information is

achieved via the analysis of packets, preferably at the GGSN" and sections 0026-28,

section 0036 "IP address or URL…provisioning the relevant URLs as required…"; 0058

"charging is related to content or application, rules within the GGSN will be

triggered…charging rates being applied.."; sections 0062-0079 "URL…PDP context…IP

address…charging ID… GGSN filter…and is at a MusicSite rate"; section 0093-96

"initiates the FTP…free access URL…track is downloaded…reduced rate…IP

multiplexes…chargeable packets"; section 0099-101 "IP sniffing…HTTP session…the

GGSN matches site IP address/ URL etc and places cost in the relevant tariff CDR..real-time usage based charges..."; section 0104-109 "packets being charge based on storefront...URL...server virtual domain/ IP address is part of GGSN zero-rate filter...downloaded packets...after one-time URL allocated...charging...; section 0114 "VoIP/Video Streaming..."; section 0015" purchased goods or services are debited to a customer pre-paid or postpaid account....credit applied to an account held by the provider of those goods or services", section 0017 "credit transfer", section 0021, 0024, 0026 "account..accounting system", section 0030, 0060 "transaction...account..bill...accounting....records..") during a packet data protocol context (see section 0004 "billing system to differentiate between different services on the same PDP context"; sections 0062-79 "PDP context"; section 0087 "context is set-up"), the packet data protocol context comprising a plurality of data flows (see section 0004 "billing system to differentiate between different services on the same PDP context"; sections 0062-79 "PDP context"), **with e**ach data flow of the plurality of data flows being distinguishable by a set of flow parameters (see section 0012-014 "each packet having an address...determining from....each packet address...packet analyzer for determining from said rules and each packet address, a respective billing tariff" and section 0021 "analysis of packets, preferably at the GGSN" and section 0027-28, section 0036 "IP address or URL...provisioning the relevant URLs as required..."; sections 0062-0079 "URL...PDP context...IP address...charging ID..."; section 0093-96 "initiates the FTP...free access URL...track is downloaded...reduced reate...IP multiplexes...chargeable packets"; section 0099-101 "IP sniffing...HTTP session...the

GGSN matches site IP address/ URL etc and places cost in the relevant tariff CDR..real-time usage based charges..."; section 0104-109 "packets being charge based on storefront...URL...server virtual domain/ IP address is part of GGSN zero-rate filter...downloaded packets...after one-time URL allocated...charging...; section 0114 "VoIP/Video Streaming..."), wherein said charging policy defines charging rules per data flow of the plurality of flows (see section 0012-014 "each packet having an address...determining from....each packet address...packet analyzer for determining from said rules and each packet address, a respective billing tariff" and section 0020-21 "charging information is achieved via the analysis of packets, preferably at the GGSN" and sections 0026-28, section 0036 "IP address or URL...provisioning the relevant URLs as required..."; 0058 "charging is related to content or application, rules within the GGSN will be triggered...charging rates being applied.."; sections 0062-0079 "URL...PDP context...IP address...charging ID... GGSN filter...and is at a MusicSite rate"; section 0093-96 "initiates the FTP...free access URL...track is downloaded...reduced rate...IP multiplexes...chargeable packets"; section 0099-101 "IP sniffing...HTTP session...the GGSN matches site IP address/ URL etc and places cost in the relevant tariff CDR..real-time usage based charges..."; section 0104-109 "packets being charge based on storefront...URL...server virtual domain/ IP address is part of GGSN zero-rate filter...downloaded packets...after one-time URL allocated...charging...; section 0114 "VoIP/Video Streaming...";); an observation unit (see figure; reference char 1-5,10, 13) configured to observe said data packets reaching said network element (see section 0012-014 "each packet having an

address…determining from….each packet address…packet analyzer for determining from

said rules and each packet address, a respective billing tariff" and section 0021 "analysis

of packets, preferably at the GGSN" and section 0027-28, section 0036 "IP address or

URL…provisioning the relevant URLs as required…"; sections 0062-0079 "URL…PDP

context…IP address…charging ID…"; section 0093-96 "initiates the FTP…free access

URL…track is downloaded…reduced reate…IP multiplexes…chargeable packets";

section 0099-101 "IP sniffing…HTTP session…the GGSN matches site IP address/ URL

etc and places cost in the relevant tariff CDR..real-time usage based charges..."; section

0104-109 "packets being charge based on storefront…URL…server virtual domain/ IP

address is part of GGSN zero-rate filter…downloaded packets…after one-time URL

allocated…charging…; section 0114 "VoIP/Video Streaming…"), the data packets each

including at least one flow parameter, and detect at least one data flow from flow

parameters included in the observed data packets (see section 0012-014 "each packet

having an address…determining from….each packet address…packet analyzer for

determining from said rules and each packet address, a respective billing tariff" and

section 0021 "analysis of packets, preferably at the GGSN" and section 0027-28, section

0036 "IP address or URL…provisioning the relevant URLs as required…"; sections

0062-0079 "URL…PDP context…IP address…charging ID…"; section 0093-96

"initiates the FTP…free access URL…track is downloaded…reduced rate…IP

multiplexes…chargeable packets"; section 0099-101 "IP sniffing…HTTP session…the

GGSN matches site IP address/ URL etc and places cost in the relevant tariff CDR..real-

time usage based charges..."; section 0104-109 "packets being charge based on

storefront…URL…server virtual domain/ IP address is part of GGSN zero-rate

filter…downloaded packets…after one-time URL allocated…charging…; section 0114

"VoIP/Video Streaming…"); a mapping unit (see figure; reference char 1-5,10, 13)

configured to map each of the data packets to detected data flows in accordance with the

at least one flow parameter included in the respective data packet (see section 0012-014

"each packet having an address…determining from….each packet address…packet

analyzer for determining from said rules and each packet address, a respective billing

tariff" and section 0021 "analysis of packets, preferably at the GGSN" and section 0027-

28, section 0036 "IP address or URL…provisioning the relevant URLs as required…";

sections 0062-0079 "URL…PDP context…IP address…charging ID…"; section 0093-96

"initiates the FTP…free access URL…track is downloaded…reduced rate…IP

multiplexes…chargeable packets"; section 0099-101 "IP sniffing…HTTP session…the

GGSN matches site IP address/ URL etc and places cost in the relevant tariff CDR..real-

time usage based charges..."; section 0104-109 "packets being charge based on

storefront…URL…server virtual domain/ IP address is part of GGSN zero-rate

filter…downloaded packets…after one-time URL allocated…charging…; section 0114

"VoIP/Video Streaming…"); a matching unit (see figure; reference char 1-5,10,

13)configured to match said detected data flows to an enforced charging policy (see

section 0012-014 "each packet having an address…determining from….each packet

address…packet analyzer for determining from said rules and each packet address, a

respective billing tariff" and section 0020-21 "charging information is achieved via the

analysis of packets, preferably at the GGSN" and sections 0026-28, section 0036 "IP

address or URL...provisioning the relevant URLs as required..."; 0058 "charging is

related to content or application, rules within the GGSN will be triggered...charging rates

being applied.."; sections 0062-0079 "URL...PDP context...IP address...charging ID...

GGSN filter...and is at a MusicSite rate"; section 0093-96 "initiates the FTP...free

access URL...track is downloaded...reduced rate...IP multiplexes...chargeable packets";

section 0099-101 "IP sniffing...HTTP session...the GGSN matches site IP address/ URL

etc and places cost in the relevant tariff CDR..real-time usage based charges..."; section

0104-109 "packets being charge based on storefront...URL...server virtual domain/ IP

address is part of GGSN zero-rate filter...downloaded packets...after one-time URL

allocated...charging...; section 0114 "VoIP/Video Streaming..."); an application unit

(see figure; reference char 1-5,10, 13)configured to apply said enforced charging policy

to said data flows (see section 0012-014 "each packet having an address...determining

from....each packet address...packet analyzer for determining from said rules and each

packet address, a respective billing tariff" and section 0020-21 "charging information is

achieved via the analysis of packets, preferably at the GGSN" and sections 0026-28,

section 0036 "IP address or URL...provisioning the relevant URLs as required..."; 0058

"charging is related to content or application, rules within the GGSN will be

triggered...charging rates being applied.."; sections 0062-0079 "URL...PDP context...IP

address...charging ID... GGSN filter...and is at a MusicSite rate"; section 0093-96

"initiates the FTP...free access URL...track is downloaded...reduced rate...IP

multiplexes...chargeable packets"; section 0099-101 "IP sniffing...HTTP session...the

GGSN matches site IP address/ URL etc and places cost in the relevant tariff CDR..real-

time usage based charges..."; section 0104-109 "packets being charge based on

storefront...URL...server virtual domain/ IP address is part of GGSN zero-rate

filter...downloaded packets...after one-time URL allocated...charging...; section 0114

"VoIP/Video Streaming..."; section 0015" purchased goods or services are debited to a

customer pre-paid or postpaid account....credit applied to an account held by the provider

of those goods or services", section 0017 "credit transfer", section 0021, 0024, 0026

"account..accounting system", section 0030, 0060

"transaction...account..bill...accounting....records.."); and a generation unit (see figure;

reference char 1-5,10, 13), responsive to said application unit (see figure; reference char

1-5,10, 13), configured to generate charging information (see section 0012-014 "each

packet having an address...determining from....each packet address...packet analyzer for

determining from said rules and each packet address, a respective billing tariff" and

section 0020-21 "charging information is achieved via the analysis of packets, preferably

at the GGSN" and sections 0026-28, section 0036 "IP address or URL...provisioning the

relevant URLs as required..."; 0058 "charging is related to content or application, rules

within the GGSN will be triggered...charging rates being applied.."; sections 0062-0079

"URL...PDP context...IP address...charging ID... GGSN filter...and is at a MusicSite

rate"; section 0093-96 "initiates the FTP...free access URL...track is

downloaded...reduced rate...IP multiplexes...chargeable packets"; section 0099-101 "IP

sniffing...HTTP session...the GGSN matches site IP address/ URL etc and places cost in

the relevant tariff CDR..real-time usage based charges..."; section 0104-109 "packets

being charge based on storefront...URL...server virtual domain/ IP address is part of

GGSN zero-rate filter...downloaded packets...after one-time URL

allocated...charging...; section 0114 "VoIP/Video Streaming..."; section 0015"

purchased goods or services are debited to a customer pre-paid or postpaid

account....credit applied to an account held by the provider of those goods or services",

section 0017 "credit transfer", section 0021, 0024, 0026 "account..accounting system",

section 0030, 0060 "transaction...account..bill...accounting....records..").

For claim 21, Roberts discloses enforcing means (see figure; reference char 1-5,10, 13)

configured to enforce a charging policy at a network element to be applied to data

packets reaching the network element (see section 0012-014 "each packet having an

address...determining from....each packet address...packet analyzer for determining from

said rules and each packet address, a respective billing tariff" and section 0020-21

"charging information is achieved via the analysis of packets, preferably at the GGSN"

and sections 0026-28, section 0036 "IP address or URL...provisioning the relevant URLs

as required..."; 0058 "charging is related to content or application, rules within the

GGSN will be triggered...charging rates being applied.."; sections 0062-0079

"URL...PDP context...IP address...charging ID... GGSN filter...and is at a MusicSite

rate"; section 0093-96 "initiates the FTP...free access URL...track is

downloaded...reduced rate...IP multiplexes...chargeable packets"; section 0099-101 "IP

sniffing...HTTP session...the GGSN matches site IP address/ URL etc and places cost in

the relevant tariff CDR..real-time usage based charges..."; section 0104-109 "packets

being charge based on storefront...URL...server virtual domain/ IP address is part of

GGSN zero-rate filter…downloaded packets…after one-time URL

allocated…charging…; section 0114 "VoIP/Video Streaming…"; section 0015"

purchased goods or services are debited to a customer pre-paid or postpaid

account….credit applied to an account held by the provider of those goods or services",

section 0017 "credit transfer", section 0021, 0024, 0026 "account..accounting system",

section 0030, 0060 "transaction…account..bill…accounting….records..") during a packet

data protocol context (see section 0004 "billing system to differentiate between different

services on the same PDP context"; sections 0062-79 "PDP context"; section 0087

"context is set-up"), the packet data protocol context comprising a plurality of data flows

(see section 0004 "billing system to differentiate between different services on the same

PDP context"; sections 0062-79 "PDP context"; section 0087 "context is set-up"), with

each data flow of the plurality of data flows being distinguishable by a set of flow

parameters (see section 0012-014 "each packet having an address…determining

from….each packet address...packet analyzer for determining from said rules and each

packet address, a respective billing tariff" and section 0021 "analysis of packets,

preferably at the GGSN" and section 0027-28, section 0036 "IP address or

URL…provisioning the relevant URLs as required…"; sections 0062-0079 "URL…PDP

context…IP address…charging ID…"; section 0093-96 "initiates the FTP…free access

URL…track is downloaded…reduced reate…IP multiplexes…chargeable packets";

section 0099-101 "IP sniffing…HTTP session…the GGSN matches site IP address/ URL

etc and places cost in the relevant tariff CDR..real-time usage based charges..."; section

0104-109 "packets being charge based on storefront…URL…server virtual domain/ IP

address is part of GGSN zero-rate filter...downloaded packets...after one-time URL

allocated...charging...; section 0114 "VoIP/Video Streaming..."), wherein said charging

policy defines charging rules per data flow of the plurality of flows (see section 0012-014

"each packet having an address...determining from....each packet address...packet

analyzer for determining from said rules and each packet address, a respective billing

tariff" and section 0020-21 "charging information is achieved via the analysis of packets,

preferably at the GGSN" and sections 0026-28, section 0036 "IP address or

URL...provisioning the relevant URLs as required..."; 0058 "charging is related to

content or application, rules within the GGSN will be triggered...charging rates being

applied.."; sections 0062-0079 "URL...PDP context...IP address...charging ID... GGSN

filter...and is at a MusicSite rate"; section 0093-96 "initiates the FTP...free access

URL...track is downloaded...reduced rate...IP multiplexes...chargeable packets";

section 0099-101 "IP sniffing...HTTP session...the GGSN matches site IP address/ URL

etc and places cost in the relevant tariff CDR..real-time usage based charges..."; section

0104-109 "packets being charge based on storefront...URL...server virtual domain/ IP

address is part of GGSN zero-rate filter...downloaded packets...after one-time URL

allocated...charging...; section 0114 "VoIP/Video Streaming...";);observation means

(see figure; reference char 1-5,10, 13) configured to observe said data packets reaching

said network element (see section 0012-014 "each packet having an

address...determining from....each packet address...packet analyzer for determining from

said rules and each packet address, a respective billing tariff" and section 0021 "analysis

of packets, preferably at the GGSN" and section 0027-28, section 0036 "IP address or

URL...provisioning the relevant URLs as required..."; sections 0062-0079 "URL...PDP

context...IP address...charging ID..."; section 0093-96 "initiates the FTP...free access

URL...track is downloaded...reduced reate...IP multiplexes...chargeable packets";

section 0099-101 "IP sniffing...HTTP session...the GGSN matches site IP address/ URL

etc and places cost in the relevant tariff CDR..real-time usage based charges..."; section

0104-109 "packets being charge based on storefront...URL...server virtual domain/ IP

address is part of GGSN zero-rate filter...downloaded packets...after one-time URL

allocated...charging...; section 0114 "VoIP/Video Streaming..."), the data packets each

including at least one flow parameter, and detect at least one data flow from flow

parameters included in the observed data packets (see section 0012-014 "each packet

having an address...determining from....each packet address...packet analyzer for

determining from said rules and each packet address, a respective billing tariff" and

section 0021 "analysis of packets, preferably at the GGSN" and section 0027-28, section

0036 "IP address or URL...provisioning the relevant URLs as required..."; sections

0062-0079 "URL...PDP context...IP address...charging ID..."; section 0093-96

"initiates the FTP...free access URL...track is downloaded...reduced reate...IP

multiplexes...chargeable packets"; section 0099-101 "IP sniffing...HTTP session...the

GGSN matches site IP address/ URL etc and places cost in the relevant tariff CDR..real-

time usage based charges..."; section 0104-109 "packets being charge based on

storefront...URL...server virtual domain/ IP address is part of GGSN zero-rate

filter...downloaded packets...after one-time URL allocated...charging...; section 0114

"VoIP/Video Streaming...");mapping means (see figure; reference char 1-5,10, 13)

configured to map each of the data packets to detected data flows in accordance with the
at least one flow parameter included in the respective data packet (see section 0012-014
"each packet having an address…determining from….each packet address…packet
analyzer for determining from said rules and each packet address, a respective billing
tariff" and section 0021 "analysis of packets, preferably at the GGSN" and section 0027-
28, section 0036 "IP address or URL…provisioning the relevant URLs as required…";
sections 0062-0079 "URL…PDP context…IP address…charging ID…"; section 0093-96
"initiates the FTP…free access URL…track is downloaded…reduced rate…IP
multiplexes…chargeable packets"; section 0099-101 "IP sniffing…HTTP session…the
GGSN matches site IP address/ URL etc and places cost in the relevant tariff CDR..real-
time usage based charges…"; section 0104-109 "packets being charge based on
storefront…URL…server virtual domain/ IP address is part of GGSN zero-rate
filter…downloaded packets…after one-time URL allocated…charging…; section 0114
"VoIP/Video Streaming…");matching means (see figure; reference char 1-5,10, 13)
configured to match said detected data flows of data to an enforced charging policy (see
section 0012-014 "each packet having an address…determining from….each packet
address...packet analyzer for determining from said rules and each packet address, a
respective billing tariff" and section 0020-21 "charging information is achieved via the
analysis of packets, preferably at the GGSN" and sections 0026-28, section 0036 "IP
address or URL…provisioning the relevant URLs as required…"; 0058 "charging is
related to content or application, rules within the GGSN will be triggered…charging rates
being applied.."; sections 0062-0079 "URL…PDP context…IP address…charging ID…

GGSN filter…and is at a MusicSite rate"; section 0093-96 "initiates the FTP…free

access URL…track is downloaded…reduced rate…IP multiplexes…chargeable packets";

section 0099-101 "IP sniffing…HTTP session…the GGSN matches site IP address/ URL

etc and places cost in the relevant tariff CDR..real-time usage based charges..."; section

0104-109 "packets being charge based on storefront…URL…server virtual domain/ IP

address is part of GGSN zero-rate filter…downloaded packets…after one-time URL

allocated…charging…; section 0114 "VoIP/Video Streaming…");application means (see

figure; reference char 1-5,10, 13) configured to apply said enforced charging policy to

said data flows (see section 0012-014 "each packet having an address…determining

from….each packet address...packet analyzer for determining from said rules and each

packet address, a respective billing tariff" and section 0020-21 "charging information is

achieved via the analysis of packets, preferably at the GGSN" and sections 0026-28,

section 0036 "IP address or URL…provisioning the relevant URLs as required…"; 0058

"charging is related to content or application, rules within the GGSN will be

triggered…charging rates being applied.."; sections 0062-0079 "URL…PDP context…IP

address…charging ID… GGSN filter…and is at a MusicSite rate"; section 0093-96

"initiates the FTP…free access URL…track is downloaded…reduced rate…IP

multiplexes…chargeable packets"; section 0099-101 "IP sniffing…HTTP session…the

GGSN matches site IP address/ URL etc and places cost in the relevant tariff CDR..real-

time usage based charges..."; section 0104-109 "packets being charge based on

storefront…URL…server virtual domain/ IP address is part of GGSN zero-rate

filter…downloaded packets…after one-time URL allocated…charging…; section 0114

"VoIP/Video Streaming…"; section 0015" purchased goods or services are debited to a

customer pre-paid or postpaid account….credit applied to an account held by the provider

of those goods or services", section 0017 "credit transfer", section 0021, 0024, 0026

"account..accounting system", section 0030, 0060

"transaction…account..bill…accounting….records.."); and generation means (see figure;

reference char 1-5,10, 13), responsive to said application means (see figure; reference

char 1-5,10, 13), configured to generate charging information (see section 0012-014

"each packet having an address…determining from….each packet address…packet

analyzer for determining from said rules and each packet address, a respective billing

tariff" and section 0020-21 "charging information is achieved via the analysis of packets,

preferably at the GGSN" and sections 0026-28, section 0036 "IP address or

URL…provisioning the relevant URLs as required…"; 0058 "charging is related to

content or application, rules within the GGSN will be triggered…charging rates being

applied.."; sections 0062-0079 "URL…PDP context…IP address…charging ID… GGSN

filter…and is at a MusicSite rate"; section 0093-96 "initiates the FTP…free access

URL…track is downloaded…reduced rate…IP multiplexes…chargeable packets";

section 0099-101 "IP sniffing…HTTP session…the GGSN matches site IP address/ URL

etc and places cost in the relevant tariff CDR..real-time usage based charges..."; section

0104-109 "packets being charge based on storefront…URL…server virtual domain/ IP

address is part of GGSN zero-rate filter…downloaded packets…after one-time URL

allocated…charging…; section 0114 "VoIP/Video Streaming…"; section 0015"

purchased goods or services are debited to a customer pre-paid or postpaid

account….credit applied to an account held by the provider of those goods or services",

section 0017 "credit transfer", section 0021, 0024, 0026 "account..accounting system",

section 0030, 0060 "transaction…account..bill…accounting….records..").

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

3.   Claim 2, 6, 12, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts

(US 2003/0152039) in view of Jogalekar (US 7,002,977)

For claim 2, 6, 12, 16, Roberts discloses all the claimed invention as described above.

Roberts is silent about:

For claim 2 and similarly for claim 12, forwarding said generated charging information to

a charging system of the communication network.

For claim 6, upon enforcing said charging policy, data volume counters are initialized.

For claim 12, the forwarding unit.

For claim 16, an initialization unit configured to initialize data volume counters and/or

time counters responsive to enforcing said charging policy.

Jogalekar teaches a network element with the following features:

As regarding claim 2 and 12, Jogalekar discloses forwarding (see column 8 lines 38-48

"billing engine..transmit…to the network manager") generated charging information (see

column 8 lines 18-25 "billing engine may compile …billing and accounting

information") to a charging system (see column 8 lines 38-48 "network manager" and

column 4 lines 47-49 "network manager…receives…information…for accounting and

billing purposes")of the communication network (see column 4 lines 1-7 "network")

As regarding claim 6, Jogalekar discloses initializing (see column 12 lines 61-61 "creates

service-specific counters such as either incrementing…or decrementing…") data volume

counters (see column 11 lines 41-50 "service-specific counters…counters…counts the

packets") upon enforcing said charging policy (see column 1 lines 61-67 "charging a

premium rate" and column 11 lines 11-13 "policy engine…checks…policy table" and

Figure 6 608,614, 616).

For claim 12, Jogalekar discloses the forwarding unit (see column 8 lines 38-48 "billing

engine..transmit…to the network manager")

For claim 16, an initialization unit configured to initialize data volume counters (see

column 12 lines 61-61 "creates service-specific counters such as either incrementing…or

decrementing…") responsive to enforcing said charging policy (see column 1 lines 61-

67 "charging a premium rate" and column 11 lines 11-13 "policy

engine…checks…policy table" and Figure 6 608,614, 616).

It would have been obvious to one of the ordinary skill in the art at the time of the

invention to modify the system of Roberts by using the features, as taught by Jogalekar in

order to provide a method of a sophisticated accounting and billing method where

different traffic, such as high priority traffic, is charged at a premium rate (see Jogalekar

col 1).

4.   Claim 3 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts

(US 2003/0152039) in view of Gai et al. (US 7,185,073).

For claim 3 and 13, Roberts teaches the claimed invention as described in paragraph 4.

Roberts are silent about:

As regarding claim 3, enforcing is performed upon start-up of the network element.

As regarding claim 13, Gai et al discloses said enforcing means are responsive to start-up

of the network element to perform the enforcing.

Gai et al. from the same or similar field of endeavor discloses enforcing a policy the

following features:

As regarding claim 3, Gai et al discloses enforcing is performed (see column 6 lines 21-

26 "rules that are utilized by the intermediated devices") upon start-up (see column 6

lines 21-26 "Upon initialization") of the network element (see column 6 lines 21-26

"intermediated devices")

As regarding claim 13, Gai et al discloses said enforcing means (see column 6 lines 21-26

"rules that are utilized by the intermediated devices") are responsive to start-up (see

column 6 lines 21-26 "Upon initialization") of the network element (see column 6 lines

21-26 "intermediated devices") to perform the enforcing (see column 6 lines 21-26 "rules

that are utilized by the intermediated devices").

It would have been obvious to one of the ordinary skill in the art at the time of the

invention to modify the system of Roberts by using the features, as taught by Gai et al., in

order to provide a system which can implement network wide management policies (like

queueing strategies), without the need to manually configure each device which is time

consuming and error prone (see Gai column 5 lines 35-64).

5.   Claim 4 and 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts

(US 2003/0152039) in view of Hundscheidt (US 7,369,541).

For claim 4 and 14, Roberts discloses all the claimed invention as described above.

Roberts is silent about:

For claim 4, the enforcing is performed upon activation of the packet data protocol

context.

For claim 14, enforcing unit is further configured to be responsive to activation of the

data protocol context to perform the enforcing.

Hundscheidt from the same or similar field of endeavor discloses the following features:

For claim 4, Hundscheidt discloses the enforcing is performed upon activation of the

packet data protocol context (see col 11 line 15-35 "Activate PDP Context accept...starts

to charge the attached mobile station").

For claim 14, Hundscheidt discloses enforcing unit is further configured to be responsive

to activation of the data protocol context to perform the enforcing (see col 11 line 15-35

"Activate PDP Context accept...starts to charge the attached mobile station").

It would have been obvious to one of the ordinary skill in the art at the time of the

invention to modify the system of Roberts by using the features, as taught by

Hundscheidt, in order to provide an efficient introduction and performing of multicast in

a point —to-point oriented packet-switched telecommunication network (see

Hundscheidt col 5)

6.   Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts (US

2003/0152039) and Hundscheidt (US 7,369,541) as applied to claim 4 above, further in view of

Schweitzer et al. (US 2002/0013849 A1).

For claim 5, Roberts discloses the packet data protocol context (see section 0004 "billing

system to differentiate between different services on the same PDP context"; sections

0062-79 "PDP context"; section 0087 "context is set-up").

Robert and Hundscheidt does not explicitly disclose the following:

As regarding claim 5, enforcing is performed dynamically during the lifetime of the data

session.

Schweitzer from the same or similar field of endeavor discloses the following:

As regarding claim 5, Schweitzer discloses enforcing (see section 0035 lines 4-15 "voice

over IP call…single session…checked…does not exceed..) is performed dynamically

(see section 0035 lines 4-15 "…single session…checked every minute…does not

exceed..) during the lifetime (see section 0033 lines 1-4 "session..definite time bound") of

the data session (see section 0035 lines 4-15 "voice over IP call…single session").

It would have been obvious to one of the ordinary skill in the art at the time of the

invention to modify/combine the system of Roberts and Hundscheidt by using the

features, as taught by Schweitzer, in order to provide a method of limiting/allowing

certain user certain amount of bandwidth, quality of service to certain users (for example

depending on the account type or fees payed) (see Schweitzer sections 0043-46)

7.   Claims 8-10, 15, 18- 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Roberts (US 2003/0152039) in view of Schweitzer et al. (US 2002/0013849 A1).

        For claim 9 and similarly 19, Roberts discloses creating (see section 0036 "content-based

billing, content value...relevant URLs") a plurality of charging policies (see section

0012-14 "determining said rules and each packet address, a respective billing tariff and

account for that packet" section 0020-21 "charging information is achieved via the

analysis of packets, preferably at the GGSN" and section 0028, 0058 "charging is related

to content or application, rules within the GGSN will be triggered...charging rates being

applied.." and section 0062-68 "GGSN filter...and is at a MusicSite rate" and section

0095, section 0101 "GGSN matches site IP address/URL etc and places costs in the

relevant traffic CDS"; section 0104), each charging policy of the charging policies (see

section 0012-14 "determining said rules and each packet address, a respective billing

tariff and account for that packet" section 0020-21 "charging information is achieved via

the analysis of packets, preferably at the GGSN" and section 0028, 0058 "charging is

related to content or application, rules within the GGSN will be triggered...charging rates

being applied.." and section 0062-68 "GGSN filter...and is at a MusicSite rate" and

section 0095, section 0101 "GGSN matches site IP address/URL etc and places costs in

the relevant traffic CDS"; section 0104) comprising at least one flow parameter (see

section 0036 "IP address or URL...relevant URLs"), selecting a charging policy based on

offered services (see section 0036 "operator enters a deal to provide premium rate access

charges"), and distributing said selected charging policy to at least one network element

(see section 0036 "pre-provisioned...provisioning the relevant URLs as required into the

GGSN") to be enforced at said at least one network element (see section 0020-21

"charging information is achieved via the analysis of packets, preferably at the GGSN"

and section 0028, 0058 "charging is related to content or application, rules within the

GGSN will be triggered...charging rates being applied.." and section 0062-68 "GGSN

filter...and is at a MusicSite rate" and section 0095, section 0101 "GGSN matches site IP

address/URL etc and places costs in the relevant traffic CDS"; section 0104) for charging

of data reaching said at least one network element (see section 014 "packet analyzer for

determining from said rules and each packet address, a respective billing tariff" and

section 0021 "analysis of packet, preferably at the GGSN" and section 0028, section

0036) during a packet data protocol context (see section 0004 "billing system to

differentiate between different services on the same PDP context"; sections 0062-79

"PDP context"; section 0087 "context is set-up").

For claim 19, Roberts discloses a creation unit (see figure and section 0036 "operator"), a

selection unit (see figure and section 0036 "operator"), a distribution unit (see figure and

section 0036 "operator").

For claim 10 and 20, Roberts discloses wherein said charging policy is selected (see

section 0036 "operator enters a deal to provide premium rate access charges") for a type

of said network element (see section 0020-21 "charging information is achieved via the

analysis of packets, preferably at the GGSN" and section 0028, 0058 "charging is related

to content or application, rules within the GGSN will be triggered...charging rates being

applied.." and section 0062-68 "GGSN filter...and is at a MusicSite rate" and section

0095, section 0101 "GGSN matches site IP address/URL etc and places costs in the

relevant traffic CDS"; section 0104).

Robert does not explicitly disclose the following:

For claim 8 and 18, where the charging policy comprises at least one of a

charging/accounting type, an accounting event trigger, a charging metrics, and a tariffing

indication;

For claim 9 and similarly 19, where the charging policy comprises at least one of a

charging/accounting type, an accounting event trigger, a charging metrics, and a tariffing

indication; selecting a charging policy based on subscriber information.

As regarding claim 15, Schweitzer discloses said enforcing means   the enforcing during

the life-time of the data session.

Schweitzer from the same or similar field of endeavor discloses the following features:

For claim 8 and 18, Schweitzer discloses where the charging policy comprises at least

one of a charging metrics (see section 0043-45 lines 5-6 "policy..billed for usage" and

section 0063 lines 1-5 "billing on a per session basis… IP telephony, that might be charge

per minute per leg. For HTTP that might be a charge per megabyte) and a tariffing

indication (see section 0043-45 lines 5-6 "policy..billed for usage" and section 0063 lines

1-5 "billing on a per session basis… IP telephony, that might be charge per minute per

leg. For HTTP that might be a charge per megabyte)

For claim 9 and similarly 19, Schweitzer discloses Schweitzer discloses where the

charging policy comprises at least one of a charging metrics (see section 0043-45 lines 5-

6 "policy..billed for usage" and section 0063 lines 1-5 "billing on a per session basis… IP

telephony, that might be charge per minute per leg. For HTTP that might be a charge per
megabyte) and a tarriffing indication (see section 0043-45 lines 5-6 "policy..billed for
usage" and section 0063 lines 1-5 "billing on a per session basis... IP telephony, that
might be charge per minute per leg. For HTTP that might be a charge per megabyte)
,;selecting a charging policy based on subscriber information (see section 0035 lines 10-
15 "prepaid calling" and section 0043 lines 5-6 "policy might control how users..are
billed for usage", section 0045 "policy...user and group based restriction and
evaluations").

As regarding claim 15, Schweitzer discloses said enforcing means (see section 0102
"hardware...combination of hardware and software")are dynamically performing (see
section 0035 lines 4-15 "...single session...checked every minute...does not exceed..)
the enforcing (see section 0035 lines 4-15 "voice over IP call...single
session...checked...does not exceed..) during the life-time (see section 0033 lines 1-4
"session..definite time bound") of the data session (see section 0035 lines 4-15 "voice
over IP call...single session").

It would have been obvious to one of the ordinary skill in the art at the time of the
invention to modify/combine the system of Roberts by using the features, as taught by
Schweitzer, in order to provide a method of limiting/allowing certain user certain amount
of bandwidth, quality of service to certain users (for example depending on the account
type or fees payed) (see Schweitzer sections 0043-46)

8.   Claim 7 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts

(US 2003/0152039) in view of Chaskar (US 2002/0122432)

For claim 7 and 17, Roberts discloses all the claimed invention as described above.

For claim 7 and 17, Roberts further discloses wherein said data flows are Internet

Protocol (IP) based packet data flows (see section 0012 "packet address" section 0021

"based on the destination of the service as described by the URL or IP address and port

number of the server"; section 0036 "IP address or URL"; sections 0062-79 "URL";

section 0101),

Roberts does not explicitly disclose the following:

For claim 7 and similarly 17, said flow parameters comprise at least one of an IP header

field, a transport header field, and an application level information.

Chaskar from the same or similar field of endeavor discloses the following features:

 For claim 7 and similarly 17, Chaskar discloses said flow parameters comprise at least

one of an IP header field, a transport header field, (see section 0019 "fields..packet header

such as source/destination IP addresses, TCP/UDP port address…" and section 0025)

It would have been obvious to one of the ordinary skill in the art at the time of the

invention to modify the system of Roberts by using the features, as taught by Chaskar, in

order to provide a technique that supports various QoS classes across the GPRS core

network in a scalable and efficient way (see Chaskar sections 0004-10).

Response to Arguments

9.   Applicant's arguments filed 01/21/2009 have been fully considered but they are not

persuasive.

For claim 23, the applicant argues that a the limitations of the claim are commonly

understood by a person of ordinary skill in the art to be performed by a computing device

having a memory and processor and further that memory is recognized as a computer-

readable medium. While, it is true that memory is considered a computer readable

memory, the applicant does not describe any embodiment in the original disclosure that

all the limitations of claim 23 are performed by software embodied in a memory /

computer readable medium. Further, regarding that a person of ordinary skill would

recognize that memory and processor would be used to process packets and perform

charging such as in claim 23, the examiner takes the stance that it is not inherent that such

a method must be performed by software as embodied in software and executed by a

processor, as a hardware implementation is possible.

Conclusion

10.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

11.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to KENAN CEHIC whose telephone number is (571)270-3120.

The examiner can normally be reached on Monday through Friday 8:00-5:30.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, KWANG BIN YAO can be reached on (571) 272-3182. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

        Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kenan Cehic/
Examiner, Art Unit 2416

        /Kwang B. Yao/
        Supervisory Patent Examiner, Art Unit 2416